

## **Rule 375-5-6-.18 DUI Alcohol or Drug Use Risk Reduction Program Location and Facilities**

- (1) Programs shall only operate in locations that have been certified by the Department.
- (2) Programs shall only hold courses in classrooms that have been certified by the Department.
- (3) No program applying for certification shall share the same entrance with, or be immediately adjacent to, a facility where alcoholic beverages are sold or distributed.
- (4) No Program office or classroom shall be located within a retail business establishment or a private residence.
- (5) Except as provided in subsection (17) below, program offices and classrooms shall be located on the same premises.
- (6) All Program facilities shall include the following:
  - (a) Clean working restrooms;
  - (b) Blinds, shades or curtains for windows or glass doors for student privacy;
  - (c) Adequate lighting, heating and air conditioning;
- (7) Programs shall maintain the following equipment in working order:
  - (a) A television or projector and projection screen that can be suitably viewed by all course participants;
  - (b) Media equipment and visual displays for presenting required portions of the curriculum that meets Department specifications;
  - (c) Secure file storage; and
  - (d) Other equipment as designated by the Department.
- (8) Program offices cannot be open during class time, unless program office activities can be conducted without disrupting a class.
- (9) The full program name and business hours shall be displayed and clearly visible from the outside of the premises.

- (10) Program classrooms must have a minimum of 300 square feet of useable space. Program classrooms shall be certified to offer services at twenty (20) square feet per person, up to a maximum of forty (40) students. Programs licensed prior to the enactment of the 300 square foot minimum may continue to utilize existing classrooms that satisfied the prior requirement of 250 square feet. Such programs may not add new classrooms that are less than 300 square feet in size. The maximum number of students per class determined by the Department does not supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process.
- (11) The Pprogram's cCertification shall be displayed in a conspicuous location on the premises of the pProgram.
- (12) Programs that are in compliance with the rRules and rRegulations of the Department may apply to operate satellite locations.
- (13) No satellite program shall operate without first being certified by the Department.
- (14) Applications for satellite programs shall be submitted on forms prepared by the Department, following the procedure prescribed by the Department; shall include all information and fees; and shall be truthful, accurate, and complete.
- (15) Satellite programs shall be located within fifty (50) miles of the pProgram that is operating the satellite program.
- (16) Multiple satellite programs may operate in the same county.
- (17) Satellite locations shall meet all location and facility requirements as outlined in these rules and regulations, except as follows:
- (a) Student or oOffender records may be maintained at the pProgram location;
  - (b) Programs may use the telephone number of the Pprogram location; and,
  - (c) Programs may perform administrative duties at Pprogram location.
- (18) Any school or classroom facility utilized for or approved for the purposes of a DUI Alcohol or Drug Use Risk Reduction program shall comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit is issued. The owner shall certify to the Department that the facility complies with the Act and its implementing regulations.
- (19) Any school, office, or classroom facility utilized for or approved for the purpose of a DUI Alcohol or Drug Use Risk Reduction program shall be clean and safe from health hazards such as rodents, pest infestation, and mold.
- (2019) (a) The Department may develop policies and procedures for the delivery of remote classroom instruction for certified DUI Alcohol or Drug Use Risk

Reduction programs in the event of a public health state of emergency, natural disaster, or man-made disaster.

- (b) A certified DUI Alcohol or Drug Use Risk Reduction program may utilize remote services for classroom instruction and the administration of assessments. Such instruction, training, and assessments may be done via web services, such as, but not limited to, Skype, Zoom, or WebEx. Instruction must be synchronous instruction allowing for real-time instruction and interaction in a specific virtual place, through a specific online medium, at a specific time.
- (c) Schools utilizing such methods must notify and obtain prior approval from the Department and keep rosters and required documents of students enrolled in these programs pursuant to existing rules and regulations of the Department. Such programs shall continue to be subject to all monitoring, training, and auditing pursuant to existing rules and regulations of the Department.

**Authority: O.C.G.A. §§ 40-5-82, 40-5-83.**

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this amendment is to add verbiage regarding maximum occupancy determined for the building due to issues found with the maximum determined for students per class being higher than the occupancy maximum determined for the building. In the past, the certificate of occupancy was not required but was sometimes still submitted. In recent scenarios, the Department found that the occupancy maximum established by the county's fire marshal was significantly lower than what was determined (for the classroom) by the Department's measurements.

### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

This proposed amendment requires the maximum number of students per class determined by the Department not to supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process. Any school, office, or classroom facility utilized for or approved for the purpose of a DUI Alcohol or Drug Use Risk Reduction program shall be clean and safe from health hazards such as rodents, pest infestation, and mold.